

FORM PTO-1390

U.S. Department of Commerce Patent and Trademark Office

Docket No.

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

3165-106

U.S. Application No. (if known, see 37 CFR 1.5)

10/505,146

INTERNATIONAL APPLICATION NO.
PCT/EP03/01162

INTERNATIONAL FILING DATE
February 6, 2003

PRIORITY DATE CLAIMED
2/21/02; 3/8/02

TITLE OF INVENTION

2-(2-PYRIDYL)-5-PHENYL-6-AMINOPYRIMIDINE, METHOD AND INTERMEDIATE PRODUCTS FOR THE PRODUCTION AND USE THEREOF FOR COMBATING NOXIOUS FUNGI

APPLICANT(S) FOR DO/EO/US

Frank Schieweck, Jordi Tormo I Blasco, Thomas Grote, Andreas Gypser, Bernd Müller, Joachim Rheinheimer, Ingo Rose, Peter Schäfer, Wassilios Grammenos, Markus Gewehr, Anja Schwögl, Carsten Blettner, Eberhard Ammermann, Siegfried Strathmann, Gisela Lorenz, Reinhard Stierl

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

ITEMS 11. TO 20. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: PCT/IB/338, PCT/IPEA/409

U.S. APPLICATION NO. (If known, see 37 CFR 1.492(f))
10/505,146

INTERNATIONAL APPLICATION NO.
PCT/EP03/01162

ATTORNEY DOCKET NO.
3165-106

21. [X] The following fees are submitted:

Basic National Fee (37 CFR 1.492)(a)(1)-(5):

Neither international preliminary examination fee (37 CFR 1.482)

nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and

International Search Report Not Prepared by EPO or JPO. \$ 1,080.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO

but International Search Report has been prepared by the EPO or JPO \$ 920.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO

but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$ 770.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO

but claims did not satisfy provisions of PCT Article 33(1)-(4) \$ 730.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO

and all claims satisfied provisions of PCT Article 33(1)-(4) \$ 100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

CALCULATIONS

PTO USE ONLY

\$ 0

Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 0

Claims

Number Filed

Number Extra

Rate

Total Claims

21 -20 =

1

X \$18.00

\$ 0

Independent Claims

3 - 3 =

0

X \$86.00

\$ 0

Multiple dependent claim(s) (if applicable)

+ \$290.00

\$ 0

TOTAL OF ABOVE CALCULATIONS =

\$ 0

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated
above are reduced by 1/2.

\$ 0

SUBTOTAL =

\$ 0

Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30
months from the earliest claimed priority date (37 CFR 1.492(f)).

\$ 0

+

TOTAL NATIONAL FEE =

\$ 0

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

+

\$ 0

TOTAL FEES ENCLOSED =

\$ 0

Amount to be
refunded

\$

charged

\$

a. ☐ A check in the amount of _____ to cover the above filing fee is enclosed.

b. ☐ Please charge my Deposit Account No. 02-2135 in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment
to Deposit Account No. 02-2135.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a)
or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer No. 6449

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